

GREENVILLE CITY CODE  
Title 10 - Transportation and Traffic, **Section 10-2-131** Through **Section 10-2-275**

**Article L. Method of Parking**

**Sec. 10-2-131. Standing or parking close to curb.**

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement and with the righthand wheels of the vehicle within twelve (12) inches of the curb or edge of the roadway except as otherwise provided in this article.

**Sec. 10-2-132. Unattended vehicles.**

It shall be unlawful for any person to leave the engine or motor of any motor vehicle running while it is standing parked upon the streets.

**Secs. 10-2-133--10-2-140. Reserved.**

**Article M. Stopping, Standing or Parking Prohibited in Specified Places**

**Sec. 10-2-141. Stopping, standing or parking prohibited; no signs required.**

(a) No person shall stop, stand or park a vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within fifteen (15) feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within thirty (30) feet of an intersection;
- (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless signs or markings indicate a different length;
- (9) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (10) Within thirty (30) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of the entrance (when properly signposted);
- (11) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- (12) Within ten (10) feet of the point of tangency between the driveway opening and curb line of a residential driveway;
- (13) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (14) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (15) At any place where official signs prohibit stopping; or
- (16) Upon the paved or main traveled portion of any street or highway open to the public for the purpose of vehicular traffic. In emergency situations when stopping a vehicle along a street or highway is necessary, it shall be the duty of the operator to exercise reasonable care to give adequate warning to approaching traffic of the presence of the vehicle. This duty exists regardless of the reason for stopping the vehicle. Temporary or momentary stopping when there is no intent to interfere with the flow of traffic shall not be considered a violation of this subsection.
- (17) On the area between the curb and sidewalk.

(b) No person shall move a vehicle not lawfully under his control into any prohibited area or away from a curb any distance as is unlawful.

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(c) Stopping, standing or parking of any federal, state or local government vehicle along any road or highway while engaged in official business, and with the proper warning devices activated shall not be considered a violation of this article. (Ord. No. 1609, §§ 1--3, 4-10-86; Ord. No. 2082, § 1, 10-5-89; Ord. No. 2551, § 1, 12-10-92)

**Sec. 10-2-142. Parking not to obstruct traffic.**

No person shall park any vehicle upon a street, in a manner or under any conditions as to leave available less than ten (10) feet of the width of the roadway or any area delineated as a travel lane for free movement of vehicular traffic.

**Sec. 10-2-143. Parking in alleys in fire district.**

It shall be unlawful for any person to park any vehicle of any kind and leave it unattended in any private or public alley located within the fire district of the city in such a manner as to obstruct the free passage and repassage of other vehicles along such alley at all times. (Code 1971, § 31-77)

**Sec. 10-2-144. Standing or parking for certain purposes prohibited.**

It shall be unlawful for any person to stand or park a vehicle upon any street of the town for the principal purposes of:

- (1) Displaying for sale.
- (2) Washing, greasing or repairing such vehicle, except repairs made necessary by a bona fide emergency.
- (3) Storing by garages, dealers or other persons when the storing is not incidental to the bona fide use and operation of the automobile or other vehicle.
- (4) Storing of any detached trailer or van when the towing unit has been disconnected or for the purpose of transferring merchandise or freight from one (1) vehicle to another.

**Sec. 10-2-145. No stopping, standing or parking near hazardous or congested places.**

When official signs are erected at hazardous or congested places no person shall stop, stand or park a vehicle in any designated place.

**Sec. 10-2-146. Stopping, standing or parking for primary purpose of advertising prohibited.**

No person shall stand or park any vehicle on any street for the primary purpose of advertising.

**Sec. 10-2-147. Fire lanes.**

(a) It shall be unlawful for any person or persons to park or leave a motor vehicle or to place any other object, structure, or obstruction in a fire lane.

(b) Fire lanes may be established by the city council in privately owned public vehicular areas of shopping centers, hospitals, apartment complexes, condominiums, or any other private parking area which is open to the public.

(c) The chief of fire/rescue and chief of police are hereby authorized to recommend the establishment and the designation of fire lanes on private property to the city council.

(d) Fire lanes may be designated on any surface, road, alley, or roadway generally used for the movement or parking of motor vehicles, when the parking of motor vehicles or other obstructions in that area would interfere with the speed and efficiency of fire fighting and emergency personnel or the proper ingress and egress of emergency vehicles and equipment.

(e) Areas designated as fire lanes shall be clearly marked, with yellow or another suitable color of paint, with the words "No Parking, Fire Lane," and the boundaries, borders, or curbs shall be clearly visible.

(f) The fire lanes designated by city council shall be identified in the Schedule of Traffic Regulations, which is incorporated herein and made a part of this Code by reference and is on file in the city clerk's office and city engineer's office.

(g) The Chief of Police and Chief of Fire/Rescue and their designees are hereby authorized to enforce the provisions of this section. For purposes of this subsection all police officers and parking control officers are considered designees of

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the Chief of Police. (Ord. No. 1488, § 1, 4-11-85; Ord. No. 98-134, § 8, 10-8-98; Ord. No. 00-131, § 1, 9-14-00)

**Sec. 10-2-148. Unauthorized parking in designated handicapped spaces prohibited.**

(a) *Definitions.*

- (1) *Curb cuts/curb ramps* shall mean any mechanism constructed on each side of any street or road, where curbs and sidewalks are provided, and at other major points of pedestrian flow as long as the minimum requirements set out in G.S. 136-44.14 are met.
- (2) *Designated handicapped parking space* shall mean any parking space which has been designated for parking for the handicapped as defined in [subsection] (a)(3) below. These spaces shall be designated in accordance with G.S. 136-30 and each space shall have an appropriate sign erected which states the maximum penalty for parking in the space in violation of this section.
- (3) *Distinguished license plate* shall mean any license plate (in-state or out) that displays the international symbol of access as defined in G.S. 20-37.5(3).
- (4) *Handicapped* shall mean a person with a mobility impairment who is determined by a licensed physician to have any of the conditions stated in G.S. 20-37.5(2).
- (5) *Removable windshield placard* shall mean a two-sided, hooked placard which includes on each side:
  - a. The international symbol of access which is at least three (3) inches in height, centered on the placard, and is white and blue in color;
  - b. An identification number;
  - c. An expiration date; and
  - d. The seal or other identification of the issuing authority.

(b) *Prohibited.* It shall be unlawful for any person, who drives or is transporting a person(s), to park or leave standing any vehicle in any designated handicapped parking space unless they can show that the vehicle is equipped with a “distinguished license plate” or a “removable windshield placard” (or a temporary “removable windshield placard”) as defined in subsection (a) above.

(c) *Obstruction of curb cuts and curb ramps designated for handicapped persons prohibited.* It shall be unlawful for any person to park or leave standing any vehicle so that it obstructs a curb cut or curb ramp for handicapped persons as provided for by the NC Building Code or as designated in G.S. 136-44.14.

(d) *Enforcement.* When a violation of [section] 10-2-148 has occurred, a law enforcement officer or other person, authorized by and whose enforcement duties are as defined by the chief of police, detecting the apparent violation is authorized to take the state and license number of the vehicle involved and to place a parking ticket in or on the vehicle involved or to serve the ticket if the owner or operator is present.

(e) *Penalties.* Any violation of the provisions of this section shall subject the offender to a civil penalty in the amount of one hundred dollars (\$100.00). If payment for the violation is not made within ten (10) days of issuance, an additional fifty dollar (\$50.00) late fee will be due. If payment for the violation is not made within thirty (30) days of issuance, an additional fifty dollar (\$50.00) late fee will be due. If the payment for the violation is not made within sixty (60) days of its issuance, an additional fifty dollar (\$50.00) late fee will be due. In no instance shall the penalty and late fees for this violation exceed two hundred and fifty dollars (\$250.00). (Ord. No. 2715, § 1, 10-25-93; Ord. No. 94-42, §§ 1--4, 3-10-94; Ord. No. 96-110, § 1, 11-14-96; Ord. No. 00-12, § 1, 1-13-00)

**Secs. 10-2-149--10-2-160. Reserved.**

**Article N. Stopping for Loading or Unloading Only**

**Sec. 10-2-161. Loading and unloading zones.**

Whenever vehicle loading and unloading zones are designated and described by this article and when signs are placed, erected or installed, giving notice thereof, it shall be unlawful for any person to stop, stand or park any vehicle for any purpose or period of time, except in accordance with the requirements of this article.

**Sec. 10-2-162. Freight loading zones designated.**

The streets, or portions of streets, identified in the Schedule of Traffic Regulations are hereby designated as freight loading and unloading zones. No person shall stop, stand or park a vehicle in a loading zone at any time except for the

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purpose of loading or unloading freight, equipment or other goods. A vehicle which is loading or unloading pursuant to this section may remain in a loading zone for a period not to exceed one (1) hour. (Ord. No. 1141, 10-8-81; Ord. No. 2526, § 1, 10-8-92; Ord. No. 98-134, § 9, 10-8-98)

**Sec. 10-2-163. Public carrier stops and stands.**

No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any stop has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaging in loading or unloading passengers when stopping does not interfere with any bus or taxicab waiting to enter or about to enter the zone.

**Secs. 10-2-164--10-2-170. Reserved.**

**Article O. Stopping, Standing or Parking Restricted or Prohibited on Certain Streets**

**Sec. 10-2-171. Application of article.**

The provisions of this article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

**Sec. 10-2-172. Regulations not exclusive.**

The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

**Sec. 10-2-173. Parking prohibited at all times on certain streets.**

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets designated on the official schedule of traffic regulations.

**Sec. 10-2-174. Designation of limited time parking zones.**

(a) The areas of municipal off-street parking facilities owned or leased by the city or its parking authority and designated for use by the public as parking facilities and streets and portions of streets now described, or hereafter described by authority of the city council, in the Schedule of Traffic Regulations, which is on file in the office of the city clerk, shall constitute the limited time parking zones within the city. The fact that a limited time notice or sign is in place at any point within the city shall be prima facie evidence that the locality thereof is within a limited time parking zone. The term "limited time parking zone" shall mean and include any restricted street, or section of street, or off-street parking facility such as a lot, garage or other facility owned or leased by the city or the parking authority and designated for use by the public as parking facilities, upon which limited time parking signs or notices are installed and in operation. (Ord. No. 98-134, § 10, 10-8-98)

(b) The parking authority may lease parking spaces within limited time parking zones. When the spaces are properly marked with "leased parking only" signs, the time limits imposed in the limited time parking zones shall not apply to those spaces leased. (Code 1971, § 31-94.1; Ord. No. 828, 12-14-78; Ord. No. 1141, 10-8-81; Ord. No. 1945, § 1, 1-12-89)

**Sec. 10-2-175. Two-hour parking limitation.**

(a) Definitions of limited time parking zones.

- (1) *Residential limited time parking zone.* Limitation on parking, as designated by the City of Greenville, when such parking is in an area which has a predominantly residential use. Such limitation shall be in accordance with this section, and may be modified by other posted signage.

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- (2) *Downtown limited time parking zone.* Limitation on parking, as designated by the City of Greenville, in the area bordered by the Tar River to the north, Reade Circle to the south, Greene Street to the west, and Reade Street to the east. Such limitation shall be in accordance with this section.

- (b) Violation of parking limitation prohibited.

No person shall park a motor vehicle in any limited time parking zone, as defined in this section, for a period of more than two (2) consecutive hours, except in those spaces marked with "leased parking only" signs. To interrupt the continuity of the allowable two-hour period of parking, the motor vehicle must be out of that same limited time parking zone for more than one (1) hour. (Code 1971, § 31-94.3; Ord. No. 828, 12-14-78, Ord. No. 1945, § 2, 1-12-89; Ord. No. 00-111, § 1, 8-10-00)

#### **Sec. 10-2-176. Tampering with tire markings.**

No person shall erase, remove or obliterate any marks placed on a tire or motor vehicle by anyone working for the city for the purpose of enforcing this article, with the intent to obstruct, prevent, or interfere with the enforcement of any ordinance. (Code 1971, § 31-94.4; Ord. No. 828, 12-14-78)

#### **Sec. 10-2-177. Parking fee in uptown city owned or leased parking facilities.**

(a) When access to a city owned or leased off-street parking facility located in the Uptown Area has been restricted except to motor vehicles for which a parking fee has been paid, there shall be a charge of a fee not to exceed five dollars (\$5.00) per vehicle per entry into the facility for parking in the facility. No person shall park a motor vehicle in a city owned or leased off-street parking facility located in the Uptown Area without paying the parking fee after the entrances and exits to the facility have been barricaded to prohibit entrance or access is otherwise restricted by the presence of an attendant or other method. For the purpose of this section, the Uptown Area is defined as the geographic area bounded by the Tar River on the north, the CSX Railroad right-of-way on the west, 10<sup>th</sup> Street on the south, and Cotanche Street and Reade Street on the east.

(b) The city manager or his designee is authorized to determine the times when access to city owned or leased parking facilities in the Uptown Area is restricted pursuant to this section provided that such restriction may only occur between the hours of 7:00 p.m. and 7:00 a.m. The amount and method of collection of the parking fee shall be determined by the city manager or his designee. (Ord. No. 02-121, § 1, 11-14-02)

#### **Sec. 10-2-178. Parking signs or parking tire stops required.**

(a) Whenever, by this or any other article, any parking time limit is imposed or parking is prohibited in designated streets, there shall be appropriate signs giving notice thereof and no regulations shall be effective unless the signs are erected and in place at the time of any alleged offense.

(b) Parking tire stops may be used in place of signs in limited time parking zones. The tire stops shall be placed as directed by the director of public works, and marked as directed by the parking authority. (Ord. No. 2066, § 2, 9-14-89)

#### **Secs. 10-2-179--10-2-190. Reserved.**

## **Article P. Metered Parking**

#### **Sec. 10-2-191. Definitions.**

The following words and phrases, when used in this article shall, for the purpose of this article, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

- (1) *Parking meter.* The term "parking meter" shall mean and include any mechanical device or meter not inconsistent with this article placed or erected for the regulation of parking by authority of the city.
- (2) *Parking meter space.* The term "parking meter space" shall mean any space within a parking meter zone adjacent to a parking meter which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb, on the surface of the street, or other area adjacent to or adjoining the parking meters.
- (3) *Parking meter zone.* The term "parking meter zone" shall mean and include any restricted street, or section of street, or off-street parking facility such as a lot, garage or other facility owned or leased by the City or the

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“Parking Authority of the City of Greenville, North Carolina,” and designated for use by the public as parking facilities, upon which parking meters are installed and in operation. (Code 1971, § 31-80, as amended by Ord. No. 768, 4-13-78, § 1)

**Cross reference(s)**--Establishment of parking authority, Sec. 10-2-12.

**Sec. 10-2-192. Designation of parking meter zones.**

The areas, municipal off-street parking facility owned or leased by the city or its parking authority and designated for use by the public as parking facilities, streets and portions of streets now described, or hereafter described by authority of the city council, in the Schedule of Traffic Regulations, which is on file in the office of the city clerk, shall constitute the parking meter zones within the city. The fact that a parking meter is in place at any point within the city shall be prima facie evidence that the locality thereof is within a parking meter zone. (Ord. No. 98-134, § 11, 10-8-98)

**Sec. 10-2-193. Designation of parking meter spaces; manner of parking therein.**

The chief of police is hereby directed to mark off individual parking spaces in the parking zones, designated in section 10-2-192, and in such other parking zones as may hereafter be established, by lines painted or durably marked on the curbing or surface of the street. At each parking meter space so marked off, it shall be unlawful for any operator to park any vehicle in such a way that such vehicle shall not be entirely within the bounds of the space so designated. It shall also be unlawful for the operator to park any vehicle in any parking meter space on the operator's left-hand side of the street, or to turn such vehicle around within the parking meter zone; provided, that the operator may park any vehicle in any parking meter space on the operator's left-hand side of any one-way street. (Code 1971, § 31-82, as amended by Ord. No. 768, 4-13-78, § 1)

**Sec. 10-2-194. How parking meters and space to be used; overtime parking.**

Except in a period of emergency determined by an officer of the fire and rescue or police department, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle shall be parked in any parking space along-side of or next to which a parking meter is located, the operator of such vehicle shall, upon entering the parking meter space, immediately deposit or cause to be deposited in such meter such proper coin of the United States as is required for such parking meter and as is designated by proper direction on the meter, and when required by the direction on the meter, the operator of such vehicle, after the deposit of the proper coin, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon. Failure to deposit such proper coin, and to set the timing mechanism in operation when so required, shall constitute a violation of this article. Upon the deposit of such coin, and the setting of the timing mechanism in operation when so required, the parking space may lawfully be occupied by such vehicle during the period of time which has been prescribed for the part of the street in which such parking space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a parking meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit a coin so long as his occupancy of such space does not exceed the indicated unused parking time. If such vehicle shall remain parked in any such parking space beyond the parking limit set for such parking space, and if the meter shall indicate such illegal parking time, then and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time, and such parking shall be deemed a violation of this article. (Code 1971, § 31-83, as amended by Ord. No. 768, 4-13-78, § 1)

**Sec. 10-2-195. Deposit of coins.**

(a) Parking or standing a vehicle in a designated parking meter zone shall be lawful for the period of time applicable to that particular zone and displayed on such parking meter upon deposit in such meter of the designated coins or authorized tokens required in the parking areas.

(b) Nothing herein shall be construed to permit parking beyond the maximum period of parking time authorized as posted at the particular parking meter zone.

**Sec. 10-2-196. When parking meters to be in operation.**

Parking meters shall be operated in the parking meter zones set forth in this article every day between the hours of 9:00 a.m. and 6:00 p.m., except Sundays and holidays. Within the meaning of this section, the term “holiday” shall include only January 1, the Fourth of July, December 25, Thanksgiving Day as observed in the state, and such other days as shall be designated holidays by the mayor of the city. (Code 1971, § 31-85, as amended by Ord. No. 768, 4-13-78, § 1)

**Sec. 10-2-197. Exceeding legal parking time.**

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It shall be unlawful and a violation of this article for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked overtime, or beyond the period of legal parking time established for any parking meter zone as described in this article, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone. (Code 1971, § 31-86, as amended by Ord. No. 768, 4-13-78, § 1)

#### **Sec. 10-2-198. Occupation of parking space when meter shows violation.**

It shall be unlawful and a violation of this article for any person to permit any vehicle to remain or be placed in any parking meter space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space. (Code 1971, § 31-87, as amended by Ord. No. 768, 4-13-78, § 1)

#### **Sec. 10-2-199. Vehicles to be parked within the lines.**

It shall be unlawful and a violation of this article for any person to park any vehicle across any line or marking of a parking meter space or in such a position that the vehicle shall not be entirely within the area designated by such lines or markings. (Code 1971, § 31-88, as amended by Ord. No. 768, 4-13-78, § 1)

#### **Sec. 10-2-200. Parking on operator's left.**

It shall be unlawful for any person to park any vehicle on the operator's left side of any street within the city; provided, that on one-way streets vehicles may be parked either on the operator's right or left side of any such street, unless signs or markings are placed, erected or installed indicating no parking zones on either one (1) or both sides of any such street. (Code 1971, § 31-89, as amended by Ord. No. 768, 4-13-78, § 1)

#### **Sec. 10-2-201. Defacing or injuring parking meters.**

It shall be unlawful and a violation of this article for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article. (Code 1971, § 31-90, as amended by Ord. No. 768, 4-13-78, § 1)

#### **Sec. 10-2-202. Deposit of slugs, or other substitute devices.**

It shall be unlawful and a violation of this article for any person to deposit or cause to be deposited in any parking meter any slug, device or metal substance, or other substitute for lawful coin other than such token as shall be hereafter approved for such purpose by the parking authority of the city. (Code 1971, § 31-91; Ord. No. 768, § 1, 4-13-78)

#### **Sec. 10-2-203. Use of parking meter funds.**

The coins deposited in parking meters shall be used exclusively for the purpose of making effective the regulations prescribed by this article, and for the expenses incurred by the city in the regulation and limitation of vehicular parking and traffic relating to such parking on the streets and highways of the city, including municipal off-street parking facilities.

#### **Secs. 10-2-204--10-2-210. Reserved.**

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**Article Q. Restrictions on Movement of Trucks**

**Sec. 10-2-211. Trucks restricted on certain streets.**

(a) It shall be unlawful for any person to operate a loaded truck or other vehicle on any local or secondary city street in any subdivision or development complex when such truck or vehicle is loaded beyond seven thousand five hundred (7,500) pounds per wheel; dual wheels shall be considered as one wheel load and one contact area, and any truck or vehicle using local or secondary streets shall be limited to six (6) dual wheels (three (3) rear axles).

(b) Local streets and secondary streets shall mean paved streets or roads designed to carry very little traffic and limited to residential areas where heaviest wheel loads expected are passenger vehicles and light trucks.

(c) All two-axle trucks, three-axle trucks and tractor-trailer trucks are hereby prohibited from traveling or parking on the streets or parts of streets designated by the council from time to time and recorded in the Schedule of Traffic Regulations of the city, except that such trucks may travel on such streets or parts of streets when necessary to load or unload commodities at a destination on the street. Signs shall be posted at all junction points and turns where necessary, and at approaches to the streets or parts of streets on which trucks are prohibited, stating that truck traffic is prohibited or directing truck traffic in accordance with this article. (Code 1971, § 27-12.1; Ord. No. 1263, § 1, 4-14-83; Ord. No. 2606, § 1, 3-18-93; Ord. No. 98-134, § 13, 10-8-98)

**Section 10-2-212. Parking of truck.**

(a) No person shall park a truck at any time on any street within any area having a residential district zoning classification as defined by the Zoning Ordinance for Greenville, North Carolina.

(b) No person shall park a truck for a period of more than two (2) consecutive hours on any street.

(c) For the purpose of this section, a truck is defined as any motor vehicle used or designed to be used for the transportation of cargo or passengers including, but not limited to trucks, inter-city buses, truck drawn trailers when the truck is equipped with dual rear wheels on two or more axles, but not including passenger automobiles, pickup trucks, vehicles not having dual rear wheels on two or more axles, motorcycles, motor scooters, school buses, charter buses, and other nonscheduled buses.

(d) The provisions of this section shall not apply to a truck parked for the purpose of the expeditious unloading and delivery or pickup and loading of materials, to a truck temporarily parked in cases of emergency involving a mechanical breakdown necessitating repairs to such truck, or to a truck parked on a street or a part of a street, in an area having a nonresidential district zoning classification, which has been designated by city council as permitting the parking of trucks and which is recorded in the Schedule of Traffic Regulations.

(e) Notwithstanding any other provisions of this chapter, the posting of signs shall not be required for the provisions of this section to be effective.

(f) Any person violating the provisions of this section shall be responsible of an infraction pursuant to GS 14-4(b) and shall pay a penalty of not more than fifty dollars (\$50). (Ord. No. 98-38, § 1, 3-11-98)

**Secs. 10-2-213--10-2-220. Reserved.**



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**Article R. Enforcement Procedure for Parking Violations**

**Sec. 10-2-221. Notice that vehicle has been parked illegally, overtime or in violation of article; duty of police.**

If any vehicle shall be found illegally parked or parked overtime or in violation of any of the provisions of Articles L through Q of this chapter, it shall be the duty of the chief of police or other peace officers of the town to attach to the vehicle a notice to the owner or operator thereof, if the owner or operator is absent, or to deliver to the owner or operator, if he is present, a notice to the effect that the vehicle has been illegally parked or parked overtime or in violation of a provision of Articles L through Q. (Ord. No. 1103, 6-11-81)

**Sec. 10-2-222. Penalty for illegal stopping, standing or parking.**

Upon otherwise set forth in this Chapter, a violation of any of the provisions of Articles L through Q shall subject the offender to specified civil penalties as described in the Manual of Fees for the City of Greenville. The penalty shall be paid within ten calendar days. If the citation is not paid within ten calendar days the owner or operator of the vehicle shall be liable for an additional penalty as set forth in the Manual of Fees for failure to pay within ten days. If the citation is not paid within 30 calendar days after issuance, the violator shall be subject to an additional penalty as set forth in the Manual of Fees for failure to pay within 30 days. (Ord. No. 770, § 1, 4-13-78; Ord. No. 1423, § 3, 7-12-84; Ord. No. 2067, §§ 2--4, 9-14-89; Ord. No. 2645, § 1, 6-10-93; Ord. No. 00-111, § 1, 8-10-00)

**Sec. 10-2-223. Operator to comply with article; effect of proof of ownership of vehicle.**

The person actually operating or in control of the operation of the vehicle at the time that such vehicle is parked shall be charged with the duty of complying with the provisions of this article; provided that proof of ownership of any vehicle found parked in violation of this article shall be prima facie evidence that the owner parked the vehicle.

**Sec. 10-2-224. Removal of vehicles parked in prohibited areas.**

Any vehicle parked in any area prohibited by this article may be removed from such area upon the direction of the police department to a place of storage and the registered owner of such vehicle shall become liable for the removal and storage charges. No person shall be held to answer in any civil or criminal action to any owner, lienholder or other person legally entitled to the possession of any vehicle removed from such prohibited area pursuant to this section except where such vehicle is willfully, maliciously or negligently damaged in the removal from aforesaid area to place of storage. (Code 1971, § 31-79.1)

**Sec. 10-2-225. Civil penalty exclusive remedy.**

Violations of the provisions of Articles L through Q of this chapter shall subject the owner or operator of vehicles improperly parked to a civil penalty. The civil penalties imposed under this chapter shall be the sole method of enforcing these provisions, and no parking regulation shall be enforced through criminal misdemeanor penalties. (Ord. No. 1103, 6-11-81; Ord. No. 1423, § 4, 7-12-84)

**Secs. 10-2-226--10-2-230. Reserved.**

**Article S. Railroads**

**Sec. 10-2-231. Bell to be rung while passing through city.**

It shall be unlawful for any engineer or other officer or employee of a railroad to fail to ring his bell while passing through the city. (Code 1971, § 20-30)

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**Sec. 10-2-232. Blocking street for more than ten minutes.**

It shall be unlawful for any engineer or other officer or employee of a railroad to permit any train to block a street for a longer time than ten (10) minutes. (Code 1971, § 20-31; Ord. No. 1830, § 1, 3-10-88)

**Sec. 10-2-233. Protection of crossings.**

It shall be the duty of all railroad companies to provide watchmen, flagmen or proper warning devices at all street crossings. (Code 1971, § 20-32)

**Sec. 10-2-234. Speed limit of trains.**

It shall be unlawful for any train to operate within the corporate limits of the city at a speed in excess of thirty-five (35) miles per hour.

**Secs. 10-2-235--10-2-240. Reserved.**

**Article T. Controlled Residential Parking Areas\***

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\***Editor's note**--Ord. No. 1045, adopted Jan. 8, 1981, provided that a new section to be added to the Code, to be designated as § 10-2-235 of new Art. T. The codifier has renumbered the proposed new section as several sections due to its length, and has designated the first section as 10-2-241 to conform to the numbering style of the Code.  
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**Sec. 10-2-241. Criteria for establishment.**

The city council may designate controlled residential parking areas based on the following minimum criteria as determined in a study by the engineering department.

- (1) The majority of the street frontage measured at the right-of-way line must be in a residential zoning district.
- (2) The property must be used in a residential manner in order to qualify for a residential parking permit.
- (3) This procedure shall be applicable on a minimum per block basis. This procedure may apply to one (1) or both sides of the block.
- (4) A petition, identifying the boundaries of the streets within the proposed controlled residential parking area must be presented to the engineering and inspections department and signed by adult residents of at least fifty-one (51) percent of the living units contained in each block face of the proposed controlled residential parking areas.
- (5) A parking study must be completed, conducted between the hours of 8:00 a.m. to 4:00 p.m. on a weekday with one (1) observation made each two (2) hours. The study must reveal that at least seventy (70) percent of the parking capacity of the proposed controlled residential parking area is occupied.
- (6) A minimum of thirty-three (33) percent of the parked vehicles must be registered to the addresses outside the proposed controlled residential parking area. (Ord. No. 1045, 1-8-81; Ord. No. 1591, § 1, 2-13-86)

**Sec. 10-2-242. Definitions.**

(a) *Controlled residential parking area* shall mean an area designated herein and on the Schedule of Traffic Regulations and hereby adopted by reference for restricted residential parking pursuant to criteria established in section 10-2-241 hereof. (Ord. No. 98-134, § 14, 10-8-98)

(b) *Residential parking permit decal* shall mean a special permit issued hereunder by the revenue collector and authorizing the vehicle bearing such permit to be parked for a period in excess of two (2) hours in a controlled residential parking area. (Ord. No. 1045, 1-8-81)

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#### **Sec. 10-2-243. Permit decal display.**

The residential parking permit decal shall be attached to the left rear bumper or the left rear window of the vehicle for which issued as specified on the sticker and shall contain the vehicle license number, year of issue, and the identification number of the controlled residential parking area for which issued. (Ord. No. 1045, 1-8-81)

#### **Sec. 10-2-244. Eligibility for permit decal.**

A resident of a controlled residential parking area is eligible to receive one (1) residential parking permit decal for each vehicle which is principally operated by the resident. The revenue collector shall verify the residence address of persons obtaining such decals and shall record on the face of the decal the license number of the vehicle and the letter designation of the controlled residential parking area for which issued. As proof of residency, the revenue collector may require utility bills, notarized affidavits of the landlord, auto registration cards, and other documentation deemed necessary naming the permittee and showing an address within the controlled residential parking area. Residential parking permit decals issued for vehicles used by nonresidents of the controlled residential parking area or used for purposes of daily commuting to the area or for purposes of storage of nonresidential vehicles are void. (Ord. No. 1045, 1-8-81)

#### **Sec. 10-2-245. Permit issuance fee.**

The revenue division shall issue residential parking permit decals each year and an administrative fee shall be charged. The amount of such fee shall be set out in the Manual of Fees for the City of Greenville. The charge shall not be prorated for partial years. There shall also be a charge for duplicate permit decals, and that charge shall be set out in the Manual of Fees for the City of Greenville. Such permit decals shall not be transferable to another vehicle. Residential parking permit decals shall be issued on a calendar year basis and shall expire at midnight on December thirty-first of each year. Furthermore, it shall be lawful to continue to park an authorized vehicle in a controlled residential parking area during the period between December thirty-first and February fourteenth inclusive, if a residential parking permit decal for the vehicle was issued the previous immediate calendar year. (Ord. No. 1045, 1-8-81; Ord. No. 2642, § 1, 6-10-93)

#### **Sec. 10-2-246. Restrictions.**

(a) No person shall display a residential parking permit decal on a vehicle unless such vehicle displays the same vehicle license number as shown on the residential parking permit decal; and any such use or display except as authorized herein shall constitute a violation of this Code by the permittee and by the person who so used or displayed the residential parking permit decal.

(b) It shall constitute a violation of this Code for any person to falsely represent himself as eligible for a residential parking permit decal or to furnish any false information in an application to the revenue collector in order to obtain a residential parking permit decal. Any person who shall willfully make any false statement in an application for a residential parking permit decal under any section of this article shall be guilty of a misdemeanor, and upon conviction, shall be fined and/or imprisoned as provided by law.

(c) The revenue collector is authorized to revoke the residential parking permit of any permittee found to be in violation of this article and, upon written notification thereof, the permittee shall surrender such permit to the revenue collector. Failure, when so requested to surrender a residential parking permit, so revoked, shall constitute a violation of this Code. (Ord. No. 1045, 1-8-81)

#### **Sec. 10-2-247. Compliance to signs.**

When signs are erected adjacent to streets in the controlled residential parking area listed in this section, no person shall park a vehicle for longer than two (2) hours between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, unless such vehicle has a properly displayed residential parking permit decal for the area in which parked. A residential parking permit shall not guarantee or reserve the holder a parking space within a designated controlled residential parking area. (Ord. No. 1045, 1-8-81)

**Editor's note**--Section 4 of Ord. No. 1045, provided for an effective date of July 1, 1981 for the above provisions.

#### **Sec. 10-2-248. Penalty for violation of controlled residential parking regulations.**

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(a) Upon receiving notice of a violation of the provisions of this article relating to controlled residential parking areas, the owner or operator of the motor vehicle parked in violation shall pay a penalty in an amount set out in the Manual of Fees for the City of Greenville. The penalty shall be paid within ten (10) calendar days. If the citation is not paid within ten (10) calendar days, the owner or operator of the vehicle shall be liable for an additional penalty for failure to pay within ten (10) days. If paid between the eleventh calendar day after issuance and the thirtieth day after issuance, the violator shall be subject to an increased penalty as set out in the Manual of Fees.

If the citation is not paid within thirty (30) calendar days after issuance, the violator shall be subject to an additional penalty for failure to pay within thirty (30) days, and the violator shall be subject to a total penalty as set out in the Manual of Fees.

(b) In addition to the civil penalty stated above, vehicles parked in violation of the provisions of this article may be towed at the expense of the owner or operator. (Ord. No. 1486, § 1, 4-11-85; Ord. No. 2643, § 1, 6-10-93)

**Secs. 10-2-249--10-2-254. Reserved.**

**Article U. Temporary Closing of Streets\***

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\***Cross reference(s)**--Street excavations, § 6-2-41 et seq.; regulation of parades, § 11-2-1 et seq.  
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**Sec. 10-2-255. Definition; exemptions.**

(a) For the purpose of this article, "temporary street closing" shall be defined as the temporary closing off of any city street or sidewalk for a block party, local special event, festival, celebration, pep rally, or any similar activity which is sponsored for or by the owners, residents or tenants in the area, or their organization, or any civic, charitable, or fraternal organization.

(b) Any temporary street closing authorized by the city for municipal purposes, such as street repair or maintenance, emergencies, parades, or any event of a general civic or public nature, is exempt from this article. (Ord. No. 1487, § 1, 4-11-85)

**Sec. 10-2-256. Permit.**

(a) *Required.* It shall be unlawful for any person, firm, or organization to temporarily close or block off a city street or sidewalk or to participate in, advertise for, or in any way promote a temporary street closing, except as allowed by state or federal law, or as provided by this article.

(b) *Application.* Any person, firm, or organization desiring to have a street temporarily closed shall apply for a permit for temporary street closing on an application form provided by the chief of police.

(c) *Consideration by chief of police.* In considering requests for a permit, the chief of police or his designee shall consider, but shall not be limited to, the following issues in determining whether to deny or issue permits:

- (1) The nature, time, size and duration of the event for which the street will be closed.
- (2) The safety and welfare of surrounding residents.
- (3) Previous experience with the applicant.

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- (4) Other activities in the vicinity of the street to be closed.
- (5) The frequency of applications.
- (6) The effect on traffic patterns, flow, and safety.

(d) *Time for filing application.* The application shall be filed at least forty-eight (48) hours prior to the scheduled event. Failure to file on time will result in denial of a permit, unless it is found that unusual circumstances or good cause exists.

(e) *Conditions on permits.* The chief of police, or his designee, shall have authority to impose any rules, regulations and requirements deemed necessary on permits to reduce or minimize the dangers and hazards to vehicular or pedestrian traffic and to the general public. Such conditions may include a limitation on number of participants, duration and noise levels.

(f) *Vendors.* Upon issuance of a permit, the applicant shall have full authority and control over the sale, distribution or other transfer of any food, beverages, goods, wares or merchandise, arts or crafts, or other concessions during the event for which the street will be temporarily closed, and shall be fully responsible and liable for damage to public property and litter from concessions in the permit area.

(g) *Litter.* Applicants must provide for the collection and removal of all trash, garbage, and litter on the street and surrounding areas resulting from the event for which the street was temporarily closed. The area must be restored to its original condition immediately following the event.

(h) *Barricades.* Upon issuance of a permit under this article, police department barricades shall be used. Applicants will be held responsible for any damage to barricades. (Ord. No. 1487, § 1, 4-11-85)

#### **Sec. 10-2-257. Revocation of permit and penalty for violation.**

(a) Any permit for temporary street closing issued pursuant to this article may be revoked by the chief of police or any on-duty police officer, and the barricades removed at any time when, by reason of emergency, disorder, traffic conditions, violation of this article or of any permit conditions, or undue burden on public services, it is determined that the health, safety or welfare of the public or protection of property requires revocation.

(b) Violation of this article shall subject the offender to a civil penalty in the amount of fifty dollars (\$50.00). Violators shall be issued a written citation which must be paid within seventy-two (72) hours.

(c) Each day's continuing violation shall be a separate and distinct offense.

(d) Notwithstanding subsection (b) above, provisions of this article may be enforced through equitable remedies issued by a court of competent jurisdiction.

(e) In addition to or in lieu of remedies authorized in paragraphs (a), (b) and (d) above, violations of this article may be prosecuted as a misdemeanor in accordance with G.S. 160A-175. Conviction of a misdemeanor prosecution under this article shall subject the offender to a fine of fifty dollars (\$50.00). (Ord. No. 1487, § 1, 4-11-85)

### **Article V. Immobilization and Impoundment of Certain Vehicles\***

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\*Cross reference(s)--Police-initiated tow service operations, § 11-7-1 et seq.  
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#### **Sec. 10-2-258. Authorization to immobilization/impound of certain vehicles.**

The finance director or designee(s) may authorize to be immobilized by the use of wheel locks or may tow and impound any vehicle which is illegally parked, and for which there are three (3) or more outstanding, unpaid and overdue parking tickets issued by the city which tickets have remained unpaid for a period of ninety (90) days. (Ord. No. 96-93, § 1, 9-12-96)

#### **Sec. 10-2-259. Procedure to immobilize/impound of certain vehicles.**

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(a) Once a vehicle has met the criteria for placement of a wheel lock or impoundment as prescribed in section 10-2-258, there shall be affixed to the vehicle a warning notice informing the owner or operator of the vehicle that said vehicle is eligible for placement of a wheel lock or impoundment, or both, if all civil penalties for unpaid and overdue parking tickets are not paid within twenty-four (24) hours of the warning notice. Thereafter, if all described civil penalties are not paid, the vehicle will become eligible for placement of the wheel lock or impoundment. Actual receipt of the warning notice by the owner or operator of the vehicle is not a prerequisite to the use of the procedures herein provided for.

(b) If a wheel lock is attached to a vehicle, a notice shall be affixed to the windshield or any part of the vehicle so as to be readily visible. The notice shall warn that the vehicle has been immobilized and that any attempt to move the vehicle may result in damage thereto. The city shall not be responsible for any damage to an immobilized, illegally parked vehicle resulting from unauthorized attempts to free or move the vehicle. An immobilization fee of fifty dollars (\$50.00) shall be charged for the removal of the wheel lock. The notice shall also state the total amount of civil penalties due for the overdue, unpaid parking tickets, and the fifty-dollar immobilization fee to be charged. The notice shall also list the address and telephone number of the city offices to be contacted to pay the charges and to have the wheel lock removed.

(c) If the civil penalties due and the immobilization fee of fifty dollars (\$50.00) as provided hereinabove are not paid within twenty-four (24) hours of the attachment of the wheel lock, such vehicle may be towed and impounded at the direction of the finance director or designee(s) to any impound lot permitted to tow vehicles pursuant to Greenville City Code Section 11-7-2. In addition to the civil penalties for the overdue and unpaid parking tickets, the administrative fee for placement and removal of the wheel lock, the tow operator may charge additional fees in accordance with city Code Section 11-7-9 for towing and storage of the vehicle. Once a vehicle has been impounded, the finance director or designee(s) shall mail or cause to be mailed a notice of impoundment to the registered owner of the vehicle and lien holder, if any are known, to the address or addresses reported to the city by the North Carolina Department of Motor Vehicles. (Ord. No. 96-93, § 1, 9-12-96)

#### **Sec. 10-2-260. Release of immobilized/impounded vehicles.**

Upon payment of all civil penalties for unpaid and overdue parking tickets and all other applicable charges authorized by this section including immobilization, towing and storage fees, the vehicle shall be released from impound to the owner or any other person entitled to claim possession of the vehicle. (Ord. No. 96-93, § 1, 9-12-96)

#### **Sec. 10-2-261. Disposal of impounded vehicles.**

If a vehicle has been towed, and remains impounded in excess of thirty (30) days, it may be disposed of in accordance with the provisions of the city Code relating to the disposition of junked or abandoned vehicles. (Ord. No. 96-93, § 1, 9-12-96)

#### **Sec. 10-2-262. Appeal of immobilization.**

(a) The registered owner or person entitled to possession of any vehicle which has been immobilized or impounded pursuant to this article may submit a written request for a hearing to the city manager or designee by mail within seven (7) days from the receipt of the notice provided for in Section 10-2-59(b) above. If a request for a hearing is not made within the allotted time, the right to a hearing shall have been waived. If a hearing is requested, such hearing shall be commenced within seven (7) days of receipt by the city manager or designee of the request for such hearing. Thereafter, an informal hearing will be conducted by the city manager or designee at a time and place designated by the city manager or designee.

(b) For the purpose of determining whether an illegally parked vehicle has been issued three (3) or more overdue parking tickets which have remained unpaid for a period of ninety (90) days, it shall be sufficient if the license plate number of the illegally parked vehicle and the license plate number of the vehicle appearing on the tickets are the same. (Ord. No. 96-93, § 1, 9-12-96)

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**Sec. 10-2-263. Unauthorized removal/destruction of immobilized unit.**

It shall be unlawful for any unauthorized person, firm or corporation to remove from any vehicle a wheel lock placed thereon pursuant to this article or to remove from impound any vehicle placed therein pursuant to this article without all civil penalties and applicable charges having first been paid. (Ord. No. 96-93, § 1, 9-12-96)

**Sec. 10-2-264—Sec. 10-2-270. Reserved.**

**Article W. Pre-Towing Notice on Private Lots**

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\***Editor's Note**—Ordinance No. 01-105, § 1, dated August 9, 2001, creating this Article becomes effective October 1, 2001.  
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**Sec. 10-2-271. Notice Required.**

It shall be unlawful to tow or remove or immobilize by the use of a wheel lock or other method a vehicle for parking on private property without the permission of the owner or lessee of the private property to park the vehicle on the private property unless notice in accordance with the provisions of this section is posted on the private property from which the towing, removal, or immobilization is made. Such notice shall fulfill the following requirements:

(a) A notice, in the form of a sign structure, not less than twelve (12) inches by eighteen (18) inches in size, shall be prominently placed on the private property at each access or curb cut allowing vehicular access to the property, within five (5) feet of the street right-of-way line. If there are no curb or access barriers, signs shall be posted not less than one sign each fifty (50) feet of the frontage to the public street. As an alternative, notice, in the form of a sign structure, not less than twelve (12) inches by eighteen (18) inches in size, shall be posted at each parking space from which towing, removal, or immobilization is made.

(b) The notice shall clearly display the following:

- (1) In not less than one-and-one-half inch high letters on a contrasting background, the words "tow-away" or "tow-away-zone" or "towing enforced".
- (2) In not less than one inch high letters on a contrasting background, a statement indicating that parking by unauthorized vehicles is prohibited by the use of a phrase such as "private property", "leased parking", "no parking", "parking for customers only", "parking for residents only", or a similar phrase. If parking by unauthorized vehicles is not prohibited on a twenty-four (24) hour continuous basis, the days of the week and hours of the day during which unauthorized parking is prohibited shall be posted.
- (3) In not less than one-half inch high letters on a contrasting background, the telephone number at which a person available to release the vehicle that has been towed, removed, or immobilized may be contacted at any time. Calls to the telephone number must be answered by a person and a person with the authority and ability to release the vehicle must respond to the location of the vehicle within thirty (30) minutes of a call.

(c) The sign structure displaying the required notices shall be permanently installed with the bottom of the sign not less than six (6) feet above ground level and not more than eight (8) feet above ground level. Pedestrian safety should be taken into consideration when locating freestanding signs.

**Sec. 10-2-272. Applicability.**

The provisions of this article shall apply to private property as hereinafter defined. For the purpose of this article, private property shall mean property upon which is located a lot, garage, or other parking facility not owned or leased by the City of Greenville or another governmental entity and which is located within the geographic area bounded by the following: First Street between Greene Street and Reade Street, Reade Street between First Street and Fifth Street, Fifth Street between Reade Street and Maple Street, Maple Street between Fifth Street and Tenth Street, Tenth Street between Maple Street and College Hill Road, College Hill Road between Tenth Street and the Green Mill Run, Green Mill Run between College Hill Road and Eleventh Street, extended, Eleventh Street, extended, between Green Mill Run and Anderson Street, Anderson Street between Eleventh Street and Tenth Street, Tenth Street between Anderson Street and

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Cotanche Street, Cotanche Street between Tenth Street and Reade Circle, Reade Circle between Cotanche Street and Greene Street and Greene Street between Reade Circle and First Street.

**Sec. 10-2-273. Exceptions.**

Notwithstanding any other provision of this article, no notice shall be required for the towing or removal or immobilization of a vehicle (i) if the vehicle obstructs adequate ingress and egress to businesses or residences or (ii) if the vehicle has been left on the private property for a period of time greater than forty eight (48) hours or (iii) if the vehicle is being removed pursuant to the direction of a law enforcement officer or the Neighborhood Services coordinator or officer in accordance with the provisions of the Greenville City Code or state law.

**Sec. 10-2-274. Enforcement.**

The provisions of this article shall be enforced by a person designated by the city manager.

**Sec. 10-2-275. Penalties for Violations.**

(a) Any violation of the provisions of this article or a failure to comply with any of its requirements shall subject the offender to a civil penalty as follows:

- (1) In the amount of fifty dollars (\$50.00) for the first offense;
- (2) In the amount of one hundred dollars (\$100.00) for a second offense within a twelve (12) month period; and
- (3) In the amount of two hundred and fifty dollars (\$250.00) for each offense when the offense is the third or subsequent offense within a twelve (12) month period.

(b) Violators shall be issued a written citation which must be paid within seventy-two (72) hours. If a person fails to pay the civil penalty within seventy-two (72) hours, the city may recover the penalty together with all costs by filing a civil action in the general court of justice in the nature of a suit to collect a debt.

(c) This article may also be enforced by an appropriate equitable action.

(d) Any violation of the provisions of this article shall be a misdemeanor punishable as provided by North Carolina General Statute 14-4.

(e) Any one, all, or any combination of the foregoing penalties and remedies may be used to enforce this article.

(f) The owner or lessee of the private property and any contractor, agent, or other person who participates in, assists, directs, or creates the violation may be held responsible for the violation and be assessed the penalties and be subject to the remedies herein provided. (Ord. No. 01-105, § 1, 8-9-01)

**Secs. 10-2-226--10-2-280. Reserved.**